

## REMARKS

### Claim Rejections - 35 USC §102

The examiner rejected claims 1, 2, 7-9, 12, 15-18, 21, 22, 25 and 26 under 35 USC §102(e) as anticipated by Hobbs (6,523,022). The applicant believes these rejections should be withdrawn in view of the above claim amendments and the following remarks.

### Claim Rejections - 35 USC §103

The examiner rejected claims 3-6, 13, 14, 19, 20 and 24 under 35 USC §103(a) as unpatentable over Hobbs in view of Shoff et al. (5,900,905). The applicant believes this rejection should be withdrawn in view of the above claim amendments and the following remarks.

The examiner rejected claims 10, 11 and 23 under 35 USC §103(a) as unpatentable over Hobbs in view of Meyer et al. (6,289,378). The applicant respectfully disagrees.

The applicant has amended independent claim 1 to include the limitations of claims 7, 8 and 10, and has amended independent claim 17 to include the limitations of claims 21 and 23. In particular, claim 1 now recites receiving an executable file and a key file at the client computer, wherein the key file for storing the executable file at the client computer such that the executable file is executed upon the next boot-up of the client computer. The examiner asserts that Meyers discloses this limitation at col. 6, lines 20-56, but this interpretation of Meyers is incorrect.

Although Meyers discloses (in FIG. 2) a web browser 210 for communicating with a client computer 132 in order to make adjustments to the client computer 132 over the Internet, Meyers does not disclose or suggest to transmit an executable file to the client computer, wherein the executable file is executed upon boot-up of the client computer (see

abstract). In contrast, Meyers discloses to adjust the settings of the client computer using the web browser 210, such as the network settings (col. 5, lines 39-47). At col. 6, lines 20-59, Meyers discloses a specific method for changing the TCP/IP network settings for the client computer over the Internet using the web browser 210, wherein the client computer is instructed to reboot after the TCP/IP network settings have been modified. However, the TCP/IP network settings cannot be construed as an executable file, nor are the TCP/IP network settings executed by the client computer during a re-boot. In Meyers, the executable file executed during the re-boot (the operating system) configures the client computer's network facilities in response to the modified TCP/IP network settings. However, the executable file (the operating system) is already resident on the client computer rather than received by the client computer as recited in the claims. The rejection should therefore be withdrawn.

The rejections of the remaining claims should be withdrawn for the reasons set forth above.

CONCLUSION

The above amendments to the claims do not raise new issues or add new matter; the applicant respectfully requests the examiner to enter the amendments. In view of the foregoing remarks, the rejections should be withdrawn. In particular, the relied upon prior art does not disclose or suggest to receive an executable file and a key file at a client computer, wherein the key file for storing the executable file at the client computer such that the executable file is executed upon boot-up of the client computer. The examiner is encouraged to contact the undersigned over the telephone in order to resolve any remaining issues that may prevent the immediate allowance of the present application.

Respectfully submitted,

Date: 12/27/04 By: Howard H. Sheerin

Howard H. Sheerin

Reg. No. 37,938

Tel. No. (303) 765-1689

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on:

12/27/04

(Date)

Howard H. Sheerin

(Print Name)

Howard H. Sheerin  
(Signature)